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Wibbelmann, Jobst
Wuesthoff & Wuesthoff
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ALLEMAGNE

For any questions about
this communication:
Tel.: +31 (0)70 340 45 00

Date

05.03.08

Reference EPA- 98 951	Application No./Patent No. 05705385.2 - 1211
Applicant/Proprietor EASTMAN CHEMICAL COMPANY	

**Notice drawing attention to Rule 51(2) EPC, Article 2 No. 5 of the Rules relating to Fees,
- Payment of the renewal fee plus additional fee -**

The renewal fee for the 04. year fell due on 31.01.08 unless this date falls within the period covered by an interruption of the proceedings in accordance with Rule 142(1) EPC, or a request for re-establishment of rights is pending (Art. 122, R. 51(4) EPC).

The amount of the renewal fee on that date was EUR 425,00 (see current Schedule of fees and costs).

The renewal fee was not paid by the due date.

The renewal fee may still be validly paid up to the last day of the sixth calendar month following the due date, provided that the additional fee (10% of the renewal fee) is paid at the same time.

Within the above period, which cannot be extended, the following fees are to be paid:

Renewal fee for the 04. year:	EUR 425,00
Additional fee:	EUR 42,50
<hr/>	
TOTAL AMOUNT	EUR 467,50

If the renewal fee and the additional fee are not paid in due time, the European patent application shall be deemed to be withdrawn (Art. 86(1) EPC).

Note to users of the automatic debiting procedure

The normal time limit for payment of the above renewal fee had already expired when the automatic debit order was received. The renewal fee and the surcharge will be debited automatically on the last day of the six-month period (Supplement to OJ EPO 10, 2007).

For the Examining Division



Note

The Schedule of fees and costs of the EPO is published periodically as a Supplement to the Official Journal of the EPO. The current version is also available on the EPO website, together with a link to the epoline® facilities for viewing and downloading fees and searching for individual fees, both current and previous.

+++ ATTENTION +++

New amounts of procedural fees apply as from 01.04.2008 (see OJ EPO 2008, 5).

If the renewal fee with additional fee is paid on or after 01.04.2008 the additional fee amounts to 50% of the belated renewal fee (cf. Art. 2.5 RFees, as applicable from 01.04.2008, OJ EPO 2008,5).



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EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date
24.01.07

Reference EPA- 98 951	Application No./Patent No. 05705385.2-1211-US2005000697
Applicant/Proprietor EASTMAN CHEMICAL COMPANY	

Refund of fees

The following fee was paid in respect of the application 05705385.2:

Fee	Code	Voucher No	Date	Currency	Amount
Renewal fee	033	00461480	07.07.06	EUR	400,00
Renewal fee	033	00109558	05.01.07	EUR	400,00

According to the present state of the file the refund will be made by:

CREDITING THE DEPOSIT ACCOUNT 28000226.

Amount refundable:	Code	Currency	Amount	Voucher No
	033	EUR	400,00	00115052

Reason for refund: Fee paid twice.

The Authorising Officer
Ockers
(31)(70)3402423





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Generaldirektion 1

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Direction générale 1



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Date

13-09-2006

Reference EPA- 98 951	Application No./Patent No. 05705385.2 - PCT/US2005000697
Applicant/Proprietor EASTMAN CHEMICAL COMPANY	

Communication pursuant to Rules 109 and 110 EPC

(1) Amendment of application documents, especially the claims (R. 109 EPC)

The above mentioned international (Euro-PCT) application has entered the European phase, or can do so, once the necessary conditions are fulfilled.

Under Articles 28, 41 PCT, Rules 52, 78 PCT and Rule 86(2) to (4) EPC, the applicant may amend the application documents after receiving the international search report.

Whether or not he has already done so, he now has a further opportunity to file amended claims or other application documents within a non-extendable time limit of one month after notification of the present communication (R. 109 EPC).

The claims applicable on expiry of the above time limit, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2) and for any supplementary search to be carried out under Article 157(2) EPC (R. 109 EPC).

**(2) Claims fees under Rule 110 EPC**

If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee shall be payable for the eleventh and each subsequent claim within the period provided for in Rule 107(1) EPC.

Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 10 claims).

All necessary fees will be/have been debited automatically according to the automatic debit order.

The claims fee due for the claims to were not paid within the above-mentioned period.

Any non-paid claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 109 EPC (see page 1), may still be validly paid within a non-extendable period of grace of **one month** after notification of this communication.

If a payment is made for only some of the claims, it must be indicated for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (R. 110(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned time limit there is a new set of claims containing fewer fee-incurring claims than previously, the claims fees in excess of those due under Rule 110(2), 2nd sentence, EPC will be refunded (R. 110(3) EPC).

You are reminded that any supplementary search under Article 157(2) EPC will relate only to the last set of claims applicable on expiry of the above time limit AND will be confined to those fee-incurring claims for which fees have been paid in due time.

The fee for the eleventh and each subsequent claim is EUR 45,00.

Receiving Section



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Directorate General 1

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Date

30.08.06

Reference EPA- 98 951	Application No./Patent No. 05705385.2 - PCT/US2005000697
Applicant/Proprietor EASTMAN CHEMICAL COMPANY	

Notification of European publication number and information on the application of Article 67(3) EPC

The provisional protection under Article 67(1) and (2) EPC in the individual contracting states becomes effective only when the conditions referred to in Article 67(3) EPC have been fulfilled (for further details, see information brochure of the European Patent Office "National Law relating to the EPC" and additional information in the Official Journal of the European Patent Office).

Pursuant to Article 158(1) EPC the publication under Article 21 PCT of an international application for which the European Patent Office is a designated Office takes the place of the publication of a European patent application.

The bibliographic data of the above-mentioned Euro-PCT application will be published on 27.09.06 in Section I.1 of the European Patent Bulletin. The European publication number is 1703963.

In all future communications to the European Patent Office, please quote the application number plus Directorate number.

Receiving Section



PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference SRH-758678	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2005/000697	International filing date (<i>day/month/year</i>) 10 January 2005 (10.01.2005)	Priority date (<i>day/month/year</i>) 15 January 2004 (15.01.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant EASTMAN CHEMICAL COMPANY		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input checked="" type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

Date of issuance of this report 17 July 2006 (17.07.2006)	
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Philippe Becamel e-mail: pt12@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

4/8

PCT
WIPO
PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Applicant's or agent's file reference
see form PCT/ISA/220

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/US2005/000697

International filing date (day/month/year)
10.01.2005

Priority date (day/month/year)
15.01.2004

International Patent Classification (IPC) or both national classification and IPC
C07C51/43, C07C51/47, C07C51/487, C07C67/08, C08G63/78

Applicant
EASTMAN CHEMICAL COMPANY

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Authorized Officer

Delanghe, P

Telephone No. +31 70 340-4119



WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2005/000697

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. II Priority

1. The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.
2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/000697

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-51
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-51
Industrial applicability (IA)	Yes: Claims	1-51
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VI Certain documents cited

1. Certain published documents (Rules 43bis.1 and 70.10)
and / or
2. Non-written disclosures (Rules 43bis.1 and 70.9)

see form 210

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Documents

Reference is made to the following documents:

D1: WO 97/17391 A (1997-05-15)
D2: US-A-3 057 909 (1962-10-09)
D3: US-A-4 782 181 (1988-11-01)

2. Subject matter

Claims 1-51 define a process for producing a carboxylic acid/diol mixture. The carboxylic acid is purified (decolorized, washed etc) without the isolation of dry carboxylic acid and the diol is added to this water-wet cake of carboxylic acid. Preferred carboxylic acids are terephthalic acid, isophthalic acid, naphthalene dicarboxylic acid, whereas a preferred diol is ethylene glycol.

3. Novelty

The subject-matter of independent claims 1,6,11,16,20,27,33,34 and 39 is novel with respect to D1-D3 (Article 33(2) PCT).

D1 describes (see abstract, examples 1,2 and claims 1,4) the production of polyethylene naphthalate. The esterification reaction between naphthalenedicarboxylic acid and ethylene glycol is conducted in the presence of water (up to 1.5 times the amount of ethylene glycol). Purification steps of the naphthalenedicarboxylic acid are not described in D1 and solid dry naphthalenedicarboxylic acid is used to prepare the aqueous slurry of naphthalenedicarboxylic acid and ethylene glycol.

D2 describes (see column 1, lines 60-69; examples 1-4; column 3, lines 14-75 and claim 1) the preparation of glycol ester of terephthalic acid in the presence of water. In D2 it is disclosed that the addition of water at the beginning of the reaction of terephthalic acid with glycol is not detrimental and even beneficial. However, purification steps of the naphthalenedicarboxylic acid are not described in D2.

D3 describes a process for producing terephthalic acid in which purification steps, like hydrogenation, separation of the catalyst and crystallization of the pure terephthalic

acid are performed. The purified terephthalic acid is useful in the manufacturing of polyethylene terephthalate.

4. Inventive step

Document D2 is considered to represent the most relevant state of the art and discloses a slurry of terephthalic acid, ethylene glycol and water to be used in the esterification reaction towards ethylene glycol terephthalate, which is prepared by mixing pure solid terephthalic acid, ethylene glycol and water. From D2 it is clear that water can be present at the beginning of the esterification reaction.

The subject-matter of claims 1,6,11,16,20,27,33,34 and 39 differs from this known D2 in that the order of steps leading to the water-wet carboxylic acid/diol mixture is different. In D2, water and ethylene glycol are added to purified terephthalic acid, whereas in the subject-matter of the application water is present during the purification and left in the purified carboxylic acid before adding the diol.

The problem to be solved may be regarded as the provision of an alternative process for the preparation of a water-wet carboxylic acid/diol mixture to be used in an esterification reaction.

However, D3 describes a process for producing terephthalic acid in which purification steps, like hydrogenation, separation of the catalyst and crystallization of the pure terephthalic acid **from aqueous solutions** are performed. The purified terephthalic acid is useful in the manufacturing of polyethylene terephthalate. A person skilled in the art, wishing to obtain a water-wet mixture of carboxylic acid/diol would therefore be hinted by D3 to skip the drying step of the carboxylic acid after its crystallization and would keep the water in the slurry before adding the ethylene glycol. He would have combined D2 with D3 without the need to exercise an inventive step. Therefore, the subject-matter of claims 1,6,11,16,20,27,33,34 and 39 is not inventive (Article 33(3) PCT).

Dependent claims 2-5,7-10,12-15,17-19,21-26,32,35-38 and 40-51 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventivity and

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2005/000697

therefore also do not fulfil articles 33(2) and 33(3) PCT.

5. Other remarks

The number 110, used several times on the pages 18-21 of the description, sometimes refers to a process stream and sometimes refers to a device.

Although claims 1,6,11,16,20,27,33,34 and 39 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter of the technical features relating to the different purification steps. The aforementioned claims therefore lack conciseness and as such do not meet the requirements of Article 6 PCT.

Re Item VI

Certain documents cited

Certain published documents

Application No Patent No	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
WO2004/035515	29 April 2004	9 October 2003	15 October 2002
WO2004/081080	23 September 2004	3 March 2004	6 March 2003



Zur Kasse
A/4465

Eintritt in die
europäische Phase
(EPA als Bestimmungsamt
oder ausgewähltes Amt)

Entry into the
European phase
(EPO as designated or
elected Office)

Entrée dans la
phase européenne
(l'OEB agissant en qualité
d'office désigné ou élu)

Europäische Anmeldenummer oder, falls nicht bekannt, PCT-Aktenzeichen oder PCT-Veröffentlichungsnummer		European application number, or, if not known, PCT application or publication number <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> 05 705 385.2 - PCT/US2005/000697 <input checked="" type="checkbox"/>	Numéro de dépôt de la demande de brevet européen ou, à défaut, numéro de dépôt PCT ou de publication PCT
Zeichen des Anmelders oder Vertreters (max. 15 Positionen)		Applicant's or representative's reference (max. 15 spaces) EPA-98 951 <input checked="" type="checkbox"/>	Référence du demandeur ou du mandataire (15 caractères ou espaces au maximum)
<p><input checked="" type="checkbox"/> 1. Anmelder Die Angaben über den (die) Anmelder sind in der internationalen Veröffentlichung enthalten oder vom Internationalen Büro nach der internationalen Veröffentlichung vermerkt worden.</p> <p><input type="checkbox"/> Änderungen, die das Internationale Büro noch nicht vermerkt hat, sind auf einem Zusatzblatt angegeben.</p> <p>Zustellanschrift (siehe Merkblatt II, 1)</p>		<p>1. Applicant Indications concerning the applicant(s) are contained in the international publication or recorded by the International Bureau after the international publication.</p> <p>Changes which have not yet been recorded by the International Bureau are set out on an additional sheet.</p> <p>Address for correspondence (see Notes II, 1)</p>	<p>1. Demandeur Les indications concernant le(s) demandeur(s) figurent dans la publication internationale ou ont été enregistrées par le Bureau international après la publication internationale.</p> <p>Les changements qui n'ont pas encore été enregistrés par le Bureau international sont indiqués sur une feuille additionnelle.</p> <p>Adresse pour la correspondance (voir notice II, 1)</p>
<p>2. Vertreter Name (Nur einen Vertreter angeben, der in das europäische Patentregister eingetragen und an den zugestellt wird)</p> <p>Geschäftsanschrift</p>		<p>2. Representative Name (Name only one representative who will be listed in the Register of European Patents and to whom notification will be made) Dr. Jobst Wibbelmann</p> <p>Address of place of business WUESTHOFF & WUESTHOFF Schweigerstrasse 2 81541 München</p>	<p>2. Mandataire Nom (N'indiquer qu'un seul mandataire, qui sera inscrit au Registre européen des brevets et auquel notification sera faite)</p> <p>Adresse professionnelle</p>
<p><input type="checkbox"/> Telefon</p>		<p>Telephone 089/621800-0</p>	<p>Téléphone</p>
Telefax	Telex	Fax 089/621800-15	Telex
<p><input type="checkbox"/> Weitere(r) Vertreter auf Zusatzblatt</p>		Additional representative(s) on additional sheet	Autre(s) mandataire(s) sur une feuille additionnelle
<p>3. Vollmacht</p> <p><input type="checkbox"/> Einzelvollmacht ist beigelegt.</p> <p><input type="checkbox"/> Allgemeine Vollmacht ist registriert unter Nummer:</p> <p><input type="checkbox"/> Allgemeine Vollmacht ist eingereicht, aber noch nicht registriert.</p> <p><input type="checkbox"/> Die beim EPA als PCT-Anmeldeamt eingereichte Vollmacht schließt ausdrücklich die europäische Phase ein.</p>		<p>3. Authorisation</p> <p>Individual authorisation is attached.</p> <p>General authorisation has been registered under No.:</p> <p>A general authorisation has been filed, but not yet registered.</p> <p>The authorisation filed with the EPO as PCT receiving Office expressly includes the European phase.</p>	<p>3. Pouvoir</p> <p>Un pouvoir spécial est joint.</p> <p>Un pouvoir général a été enregistré sous le n° :</p> <p>Un pouvoir général a été déposé, mais n'est pas encore enregistré.</p> <p>Le pouvoir général déposé à l'OEB agissant en qualité d'office récepteur au titre du PCT s'applique expressément à la phase européenne.</p>

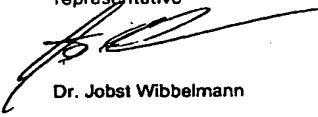
<p><input checked="" type="checkbox"/> 4. Prüfungsantrag Hiermit wird die Prüfung der Anmeldung gemäß Art. 94 EPU beantragt. Die Prüfungsgebühr wird (wurde) entrichtet.</p> <p>Prüfungsantrag in einer zugelassenen Nichtamtssprache (siehe Merkblatt III, 5.2) :</p>			<p>4. Request for examination Examination of the application under Art. 94 EPC is hereby requested. The examination fee is being (has been, will be) paid.</p> <p>Request for examination in an admissible non-EPO language (see Notes III, 5.2) :</p>			<p>4. Requête en examen Il est demandé que soit examinée la demande de brevet conformément à l'art. 94 CBE. Il est (a été, sera) procédé au paiement de la taxe d'examen.</p> <p>Requête en examen dans une langue non officielle autorisée (voir notice III, 5.2) :</p>		
<p><input type="checkbox"/> 5. Abschriften Zusätzliche Abschrift(en) der im ergänzenden europäischen Recherchenbericht angeführten Schriftstücke wird (werden) beantragt.</p> <p>Anzahl der zusätzlichen Sätze von Abschriften</p>			<p>5. Copies Additional copy (copies) of the documents cited in the supplementary European search report is (are) requested.</p> <p>Number of additional sets of copies</p>			<p>5. Copies Prière de fournir une ou plusieurs copies supplémentaires des documents cités dans le rapport complémentaire de recherche européenne.</p> <p>Nombre de jeux supplémentaires de copies</p>		
<p>6. Für das Verfahren vor dem EPA bestimmte Unterlagen</p> <p>6.1 Dem Verfahren vor dem EPA als Bestimmungssamt (PCT I) sind folgende Unterlagen zugrunde zu legen:</p> <p><input checked="" type="checkbox"/> die vom Internationalen Büro öffentlichen Anmeldungsunterlagen (mit allen Ansprüchen, Beschreibung und Zeichnungen), gegebenenfalls mit den geänderten Ansprüchen nach Art. 19 PCT</p> <p><input type="checkbox"/> soweit sie nicht ersetzt werden durch die beigelegten Änderungen.</p> <p>Falls nötig, sind Klarstellungen auf einem Zusatzblatt einzureichen!</p>			<p>6. Documents intended for proceedings before the EPO</p> <p>6.1 Proceedings before the EPO as designated Office (PCT I) are to be based on the following documents:</p> <p>the application documents published by the International Bureau (with all claims, description and drawings), where applicable with amended claims under Art. 19 PCT</p> <p>unless replaced by the amendments enclosed.</p> <p>Where necessary, clarifications must be submitted on a separate sheet!</p>			<p>6. Pièces destinées à la procédure devant l'OEB</p> <p>6.1 La procédure devant l'OEB agissant en qualité d'office désigné (PCT I) doit se fonder sur les pièces suivantes :</p> <p>les pièces de la demande publiée par le Bureau international (avec toutes les revendications, la description et les dessins), éventuellement avec les revendications modifiées conformément à l'article 19 du PCT</p> <p>dans la mesure où elles ne sont pas remplacées par les modifications jointes.</p> <p>Le cas échéant, des explications doivent être jointes sur une feuille additionnelle!</p>		
<p>6.2 Dem Verfahren vor dem EPA als ausgewähltem Amt (PCT II) sind folgende Unterlagen zugrunde zu legen:</p> <p><input checked="" type="checkbox"/> die dem internationalen vorläufigen Prüfungsbericht zugrunde gelegten Unterlagen, einschließlich seiner eventuellen Anlagen (<i>Solche Anlagen müssen immer beigelegt werden!</i>)</p> <p><input type="checkbox"/> soweit sie nicht ersetzt werden durch die beigelegten Änderungen.</p> <p>Falls nötig, sind Klarstellungen auf einem Zusatzblatt einzureichen!</p>			<p>6.2 Proceedings before the EPO as elected Office (PCT II) are to be based on the following documents:</p> <p>the documents on which the international preliminary examination report is based, including its possible annexes (<i>Such annexes must always be filed</i>)</p> <p>unless replaced by the amendments enclosed.</p> <p>Where necessary, clarifications must be submitted on a separate sheet!</p>			<p>6.2 La procédure devant l'OEB agissant en qualité d'office élu (PCT II) doit se fonder sur les pièces suivantes :</p> <p>les pièces sur lesquelles se fonde le rapport d'examen préliminaire international, y compris ses annexes éventuelles (<i>De telles annexes sont toujours à joindre</i>)</p> <p>dans la mesure où elles ne sont pas remplacées par les modifications jointes.</p> <p>Le cas échéant, des explications doivent être jointes sur une feuille additionnelle!</p>		
<p>Sind dem EPA als mit der internationalen vorläufigen Prüfung beauftragten Behörde Versuchsberichte zugegangen, dürfen diese dem Verfahren vor dem EPA zugrunde gelegt werden.</p>			<p>If the EPO as International Preliminary Examining Authority has received test reports, these may be used as the basis of proceedings before the EPO.</p>			<p>Si l'OEB, agissant en qualité d'administration chargée de l'examen préliminaire international, a reçu des rapports d'essais, ceux-ci peuvent constituer la base de la procédure devant l'OEB.</p>		

<p>7. Übersetzungen Beigefügt sind die nachfolgend angekreuzten Übersetzungen in einer der Amtssprachen des EPA (Deutsch, Englisch, Französisch):</p> <ul style="list-style-type: none"> • <i>Im Verfahren vor dem EPA als Bestimmungsamt oder ausgewähltem Amt (PCT I + II):</i> <p><input type="checkbox"/> Übersetzung der ursprünglich eingereichten internationalen Anmeldung (Beschreibung, Ansprüche, etwaige Textbestandteile in den Zeichnungen), der veröffentlichten Zusammenfassung, und etwaiger Angaben über biologisches Material nach Regel 13^{a1}.3 und 13^{a1}.4 PCT</p> <p><input type="checkbox"/> Übersetzung der prioritätsbegründenden Anmeldung(en)</p> <p><input type="checkbox"/> Es wird hiermit erklärt, daß die internationale Anmeldung in ihrer ursprünglich eingereichten Fassung eine vollständige Übersetzung der früheren Anmeldung ist (Regel 38(5) EPÜ)</p> <ul style="list-style-type: none"> • <i>Zusätzlich im Verfahren vor dem EPA als Bestimmungsamt (PCT I):</i> <p><input type="checkbox"/> Übersetzung der nach Art. 19 PCT geänderten Ansprüche nebst Erklärung, falls diese dem Verfahren vor dem EPA zugrunde gelegt werden sollen (siehe Feld 6)</p> <ul style="list-style-type: none"> • <i>Zusätzlich im Verfahren vor dem EPA als ausgewähltem Amt (PCT II):</i> <p><input type="checkbox"/> Übersetzung der Anlagen zum internationalen vorläufigen Prüfungsbericht</p>		
<p>7. Translations Translations in one of the official languages of the EPO (English, French, German) are enclosed as crossed below:</p> <ul style="list-style-type: none"> • <i>In proceedings before the EPO as designated or elected Office (PCT I + II):</i> <p>Translation of the international application (description, claims, any text in the drawings) as originally filed, of the abstract as published and of any indication under Rule 13^{a1}.3 and 13^{a1}.4 PCT regarding biological material</p> <p>7. Traductions Vous trouverez, ci-joint, les traductions cochées ci-après dans l'une des langues officielles de l'OEB (allemand, anglais, français) :</p> <ul style="list-style-type: none"> • <i>Dans la procédure devant l'OEB agissant en qualité d'office désigné ou élu (PCT I + II):</i> <p>Traduction de la demande internationale telle que déposée initialement (description, revendications, textes figurant éventuellement dans les dessins), de l'abrégié publié, et de toutes indications visées aux règles 13^{a1}.3 et 13^{a1}.4 du PCT concernant le matériel biologique</p>		
<p>8. Biologisches Material Die Erfindung bezieht sich auf bzw. verwendet biologisches Material, das nach Regel 28 EPÜ hinterlegt worden ist.</p> <p><input type="checkbox"/> Die Angaben nach Regel 28(1)c) EPÜ (falls noch nicht bekannt, die Hinterlegungsstelle und das (die) Bezugszeichen (Nummer, Symbole usw.) des Hinterlegers) sind in der internationalen Veröffentlichung oder in der gemäß Feld 7 eingereichten Übersetzung enthalten auf:</p> <p>Seite(n) / Zeile(n)</p> <p>Die Empfangsbescheinigung(en) der Hinterlegungsstelle</p> <p><input type="checkbox"/> ist (sind) beigefügt</p> <p><input type="checkbox"/> wird (werden) nachgereicht</p> <p><input type="checkbox"/> Verzicht auf die Verpflichtung des Antragstellers nach Regel 28(3) EPÜ auf gesondertem Schriftstück</p>		
<p>8. Biological material The invention relates to and/or uses biological material deposited under Rule 28 EPC.</p> <p>The particulars referred to in Rule 28(1)(c) EPC (if not yet known, the depositary institution and the identification reference(s) (number, symbols etc.) of the depositor) are given in the international publication or in the translation submitted under Section 7 on:</p> <p>page(s) / line(s)</p> <p>The receipt(s) of deposit issued by the depositary institution</p> <p>is (are) enclosed</p> <p>will be filed at a later date</p> <p>Waiver of the right to an undertaking from the requester pursuant to Rule 28(3) EPC attached.</p>		
<p>8. Matière biologique L'invention concerne et/ou utilise de la matière biologique, déposée conformément à la règle 28 CBE.</p> <p>Les indications visées à la règle 28(1)c) CBE (si non encore connues, l'autorité de dépôt et la (les) référence(s) d'identification (numéro ou symboles etc.) du déposant) figurent dans la publication internationale ou dans une traduction produite conformément à la rubrique 7 à la / aux:</p> <p>page(s) / ligne(s)</p> <p>Le(s) récépissé(s) de dépôt délivré(s) par l'autorité de dépôt</p> <p>est (sont) joint(s)</p> <p>sera (seront) produit(s) ultérieurement</p> <p>Renonciation, sur document distinct, à l'engagement du requérant au titre de la règle 28(3) CBE.</p>		

<p><input type="checkbox"/> 9. Nukleotid- und Aminosäure-sequenzen Die nach Regeln 5.2 und 13^{er} PCT sowie Regel 111(3) EPÜ erforderlichen Unterlagen liegen dem EPA bereits vor.</p> <p><input type="checkbox"/> Das schriftliche Sequenzprotokoll wird anliegend nachgereicht.</p> <p><input type="checkbox"/> Das Sequenzprotokoll geht nicht über den Inhalt der Anmeldung in der ursprünglich eingereichten Fassung hinaus.</p> <p><input type="checkbox"/> Der vorgeschriebene Datenträger ist beigefügt.</p> <p><input type="checkbox"/> Die auf dem Datenträger gespeicherte Information stimmt mit dem schriftlichen Sequenzprotokoll überein.</p>	<p>9. Nucleotide and amino acid sequences The items necessary in accordance with Rules 5.2 and 13^{er} PCT and Rule 111(3) EPC have already been furnished to the EPO.</p> <p>The written sequence listing is furnished herewith.</p> <p>The sequence listing does not include matter which goes beyond the content of the application as filed.</p> <p>The prescribed data carrier is enclosed.</p> <p>The information recorded on the data carrier is identical to the written sequence listing.</p>	<p>9. Séquences de nucléotides et d'acides aminés Les pièces requises selon les règles 5.2 et 13^{er} PCT et la règle 111(3) CBE ont déjà été déposées auprès de l'OEB.</p> <p>La liste de séquences écrite est produite ci-joint.</p> <p>La liste de séquences ne contient pas d'éléments s'étendant au-delà du contenu de la demande telle qu'elle a été déposée.</p> <p>Le support de données prescrit est joint.</p> <p>L'information figurant sur le support de données est identique à celle que contient la liste de séquences écrite.</p>
<p>10. Benennungsgebühren</p> <p><input checked="" type="checkbox"/> 10.1 Es ist derzeit beabsichtigt, den siebenfachen Betrag einer Benennungsgebühr zu entrichten. Damit gelten die Benennungsgebühren für alle Vertragsstaaten des EPÜ¹ als entrichtet (Art. 2 Nr. 3 GebO), soweit sie in der internationalen Anmeldung bestimmt sind².</p> <p><input type="checkbox"/> 10.2 Abweichend von der Erklärung in Nr. 10.1 ist derzeit beabsichtigt, weniger als sieben Benennungsgebühren für folgende in der internationalen Anmeldung bestimmte Vertragsstaaten des EPÜ² zu entrichten:</p> <p>(1) <input type="checkbox"/> _____</p> <p>(2) <input type="checkbox"/> _____</p> <p>(3) <input type="checkbox"/> _____</p> <p>Soweit unter Nr. 10.2 Vertragsstaaten aufgeführt sind, wird beantragt, für die dort nicht aufgeführten Vertragsstaaten von der Zustellung einer Mitteilung nach Regel 108(3) EPÜ abzusehen.</p> <p><input checked="" type="checkbox"/> 10.3 Wird ein automatischer Abbuchungsauftrag erteilt (Feld 12), so wird das EPA beauftragt, bei Ablauf der Grundfrist nach Regel 107 (1)d) EPÜ den siebenfachen Betrag einer Benennungsgebühr abzubuchen. Ist eine Erklärung nach Nr. 10.2 abgegeben worden, so sollen die Benennungsgebühren nur für die dort angegebenen Vertragsstaaten abgebucht werden, sofern dem EPA nicht bis zum Ablauf der Grundfrist ein anderslautender Auftrag zugeht.</p>		
<p>10. Designation fees</p> <p>10.1 It is currently intended to pay seven times the amount of the designation fee. The designation fees for all the EPC contracting states¹ designated in the international application² are thereby deemed to have been paid (Art. 2 No. 3 RFees).</p> <p>10.2 The declaration in No. 10.1 does not apply. Instead, it is currently intended to pay fewer than seven designation fees for the following EPC contracting states² designated in the international application:</p> <p>(4) <input type="checkbox"/> _____</p> <p>(5) <input type="checkbox"/> _____</p> <p>(6) <input type="checkbox"/> _____</p> <p>If contracting states are indicated under No. 10.2, it is requested that no communication under Rule 108(3) EPC be issued for contracting states not thus indicated.</p> <p>10.3 If an automatic debit order has been issued (Section 12), the EPO is authorised, on expiry of the basic period under Rule 107(1)(d) EPC, to debit seven times the amount of the designation fee. If states are indicated under No. 10.2, the EPO will debit designation fees only for those states, unless instructed otherwise before the basic period expires.</p>		
<p>10. Taxes de désignation</p> <p>10.1 Il est actuellement envisagé de payer un montant correspondant à sept fois la taxe de désignation. Les taxes de désignation sont ainsi réputées payées pour tous les Etats contractants de la CBE¹ désignés dans la demande internationale² (art. 2, point 3 du RRT).</p> <p>10.2 Contrairement à ce qui est indiqué au n° 10.1, il est actuellement envisagé de payer moins de sept taxes de désignation pour les Etats contractants de la CBE² suivants désignés dans la demande internationale :</p> <p>Si des Etats contractants sont mentionnés au n° 10.2, prière de ne pas procéder à la signification d'une notification prévue par la règle 108(3) CBE pour les Etats contractants n'y étant pas mentionnés.</p> <p>10.3 Si un ordre de prélèvement automatique est donné (rubrique 12), il est demandé à l'OEB de prélever, à l'expiration du délai normal visé à la règle 107(1)d) CBE, un montant correspondant à sept fois la taxe de désignation. Si une déclaration a été faite au n° 10.2, les taxes de désignation ne sont à prélever que pour les Etats contractants qui y sont indiqués, sauf instruction contraire reçue par l'OEB avant l'expiration du délai normal.</p>		

¹ Stand bei Drucklegung: 27 Vertragsstaaten, und zwar: / Status when this form was printed: 27 contracting states, namely / Situation à la date d'impression : 27 Etats contractants, à savoir : AT Österreich / Austria / Autriche, BE Belgien / Belgium / Belgique, BG Bulgarien / Bulgaria / Bulgarie, CH / LI Schweiz und Liechtenstein / Switzerland and Liechtenstein / Suisse et Liechtenstein, CY Zypern / Cyprus / Chypre, CZ Tschechische Republik / Czech Republic / République tchèque, DE Deutschland / Germany / Allemagne, DK Dänemark / Danmark / Danemark, EE Estland / Estonia / Estonie, ES Spanien / Spain / Espagne, FI Finnland / Finland / Finlande, FR Frankreich / France / France, GB Vereinigtes Königreich / United Kingdom / Royaume-Uni, GR Griechenland / Greece / Grèce, HU Ungarn / Hungary / Hongrie, IE Irland / Ireland / Irlande, IT Italien / Italy / Italie, LU Luxemburg / Luxembourg, MC Monaco / Monaco / Monaco, NL Niederlande / Netherlands / Pays-Bas, PT Portugal / Portugal / Portugal, RO Rumänien / Romania / Roumanie, SE Schweden / Sweden / Suède, SI Slowenien / Slovenia / Slovénie, SK Slowakische Republik / Slovak Republic / République slovaque, TR Türkei / Turkey / Turquie

² Für folgende Staaten nur möglich, falls in der internationalen Anmeldung am oder nach folgendem Tag bestimmt: Slowakische Republik, Bulgarien, Tschechische Republik und Estland: 1. Juli 2002, Slowenien: 1. Dezember 2002, Ungarn: 1. Januar 2003 und Rumänien: 1. März 2003. / For the following states this is possible only if they are designated in the international application on or after the stated date: Slovak Republic, Bulgaria, Czech Republic and Estonia: 1 July 2002, Slovenia: 1 December 2002, Hungary: 1 January 2003 and Romania: 1 March 2003. / En ce qui concerne les Etats suivants seulement si la désignation a été effectuée dans la demande internationale à la date suivante ou à une date ultérieure: République slovaque, Bulgarie, République tchèque et Estonie: 1^{er} juillet 2002, Slovénie: 1^{er} décembre 2002, Hongrie: 1^{er} janvier 2003 et Roumanie: 1^{er} mars 2003.

<p><input checked="" type="checkbox"/> 11. Erstreckung des europäischen Patents Bei Zahlung der Erstreckungsgebühr(en) gilt diese Anmeldung auch als wirksamer Erstreckungsantrag für die in der internationalen Anmeldung bestimmten »Erstreckungsstaaten«. Es ist beabsichtigt, diese Gebühr(en) für folgende Staaten zu entrichten:</p> <table> <tr><td><input type="checkbox"/></td><td>SI</td><td>Slovenien "</td><td>Slovenia "</td><td>Slovénie "</td></tr> <tr><td><input type="checkbox"/></td><td>LT</td><td>Litauen</td><td>Lithuania</td><td>Lituanie</td></tr> <tr><td><input type="checkbox"/></td><td>LV</td><td>Lettland</td><td>Latvia</td><td>Lettonie</td></tr> <tr><td><input type="checkbox"/></td><td>AL</td><td>Albanien</td><td>Albania</td><td>Albanie</td></tr> <tr><td><input type="checkbox"/></td><td>RO</td><td>Rumänien "</td><td>Romania "</td><td>Roumanie "</td></tr> <tr><td><input type="checkbox"/></td><td>MK</td><td>Ehemalige jugoslawische Republik Mazedonien</td><td>Former Yugoslav Republic of Macedonia</td><td>Ex-République yougoslave de Macédoine</td></tr> <tr><td colspan="5"><hr/></td></tr> </table>			<input type="checkbox"/>	SI	Slovenien "	Slovenia "	Slovénie "	<input type="checkbox"/>	LT	Litauen	Lithuania	Lituanie	<input type="checkbox"/>	LV	Lettland	Latvia	Lettonie	<input type="checkbox"/>	AL	Albanien	Albania	Albanie	<input type="checkbox"/>	RO	Rumänien "	Romania "	Roumanie "	<input type="checkbox"/>	MK	Ehemalige jugoslawische Republik Mazedonien	Former Yugoslav Republic of Macedonia	Ex-République yougoslave de Macédoine	<hr/>				
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<p>11. Extension of the European patent On payment of the extension fees) this application is also deemed to be a request for extension to all the "extension states" designated in the international application. It is intended to pay the fee(s) for the following states:</p> <table> <tr><td><input type="checkbox"/></td><td>SI</td><td>Slovenien "</td><td>Slovenia "</td><td>Slovénie "</td></tr> <tr><td><input type="checkbox"/></td><td>LT</td><td>Litauen</td><td>Lithuania</td><td>Lituanie</td></tr> <tr><td><input type="checkbox"/></td><td>LV</td><td>Lettland</td><td>Latvia</td><td>Lettonie</td></tr> <tr><td><input type="checkbox"/></td><td>AL</td><td>Albanien</td><td>Albania</td><td>Albanie</td></tr> <tr><td><input type="checkbox"/></td><td>RO</td><td>Rumänien "</td><td>Romania "</td><td>Roumanie "</td></tr> <tr><td><input type="checkbox"/></td><td>MK</td><td>Ehemalige jugoslawische Republik Mazedonien</td><td>Former Yugoslav Republic of Macedonia</td><td>Ex-République yougoslave de Macédoine</td></tr> <tr><td colspan="5"><hr/></td></tr> </table>			<input type="checkbox"/>	SI	Slovenien "	Slovenia "	Slovénie "	<input type="checkbox"/>	LT	Litauen	Lithuania	Lituanie	<input type="checkbox"/>	LV	Lettland	Latvia	Lettonie	<input type="checkbox"/>	AL	Albanien	Albania	Albanie	<input type="checkbox"/>	RO	Rumänien "	Romania "	Roumanie "	<input type="checkbox"/>	MK	Ehemalige jugoslawische Republik Mazedonien	Former Yugoslav Republic of Macedonia	Ex-République yougoslave de Macédoine	<hr/>				
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<p>11. Extension des effets du brevet européen La taxe (Les taxes) d'extension payée(s), la présente demande est également réputée être une demande d'extension à tous les «Etats autorisant l'extension» désignés dans la demande internationale. Il est envisagé de payer la taxe (les taxes) d'extension pour les Etats suivants:</p>																																					
<p>1) Für Slowenien und Rumänien nur möglich, falls in der internationalen Anmeldung bis 30. November 2002 (Slowenien) oder bis 28. Februar 2003 (Rumänien) bestimmt. / For Slovenia and Romania this is possible only if they are designated in the international application up to 30 November 2002 (Slovenia) or 28 February 2003 (Romania). / En ce qui concerne la Slovénie et la Roumanie, seulement si la désignation a été effectuée dans la demande internationale jusqu'au 30 novembre 2002 (Slovénie) ou jusqu'au 28 février 2003 (Roumanie).</p> <p>2) Platz für Staaten, mit denen »Erstreckungsabkommen« nach Drucklegung dieses Formblatts in Kraft treten und die in der internationalen Anmeldung bestimmt waren. / Space for States with which "extension agreements" enter into force after this form has been printed and which were designated in the international application. / Prévu pour des Etats à l'égard desquels des «accords d'extension» entrent en vigueur après l'impression du présent formulaire et qui ont été désignés dans la demande internationale.</p>																																					
<p>12. Automatischer Abbuchungsauftrag <i>(Nur möglich für Inhaber von beim EPA geführten laufenden Konten)</i></p> <p><input type="checkbox"/> Das EPA wird beauftragt, nach Maßgabe der Vorschriften über das automatische Abbuchungsverfahren fällige Gebühren und Auslagen vom untenstehenden laufenden Konto abzubuchen. In Bezug auf die Benennungsgebühren wird auf Feld 10.3 verwiesen. Das EPA wird ferner beauftragt, die Erstreckungsgebühren für jeden in Feld 11 angekreuzten »Erstreckungsstaat« bei Ablauf der Grundfrist zu ihrer Zahlung abzubuchen, sofern ihm nicht bis dahin ein anderslautender Auftrag zugeht.</p> <p>Nummer und Kontoinhaber</p>																																					
<p>12. Automatic debit order <i>(for EPO deposit account holders only)</i></p> <p>The EPO is hereby authorised, under the Arrangements for the automatic debiting procedure, to debit from the deposit account below any fees and costs falling due. For designation fees, see Section 10.3. The EPO is also authorised, on expiry of the basic period for paying the extension fees, to debit those fees for each of the "extension states" marked with a cross in Section 11, unless instructed otherwise before the said period expires.</p> <p>Number and account holder</p>																																					
<p>12. Ordre de prélèvement automatique <i>(uniquement possible pour les titulaires de comptes courants ouverts auprès de l'OEB)</i></p> <p>Par la présente, il est demandé à l'OEB de prélever du compte courant ci-dessous les taxes et frais venant à échéance, conformément à la réglementation relative au prélèvement automatique. Pour les taxes de désignation, se reporter à la rubrique 10.3. Il est en outre demandé à l'OEB de prélever, à l'expiration du délai normal prévu pour leur paiement, les taxes d'extension pour chaque «Etat autorisant l'extension» coché à la rubrique 11, sauf instruction contraire reçue avant l'expiration de ce délai.</p> <p>Numéro et titulaire du compte</p>																																					
<p>13. Eventuelle Rückzahlungen auf das beim EPA geführte laufende Konto</p> <p>Nummer und Kontoinhaber</p>																																					
<p>13. Any reimbursement to EPO deposit account</p> <p>Number and account holder</p> <p>2800.0226 (Wuesthoff & Wuesthoff)</p>																																					
<p>13. Remboursements éventuels à effectuer sur le compte courant ouvert auprès de l'OEB</p> <p>Numéro et titulaire du compte</p>																																					
<p>14. Unterschrift(en) des (der) Anmelder(s) oder Vertreters</p> <p></p> <p>Dr. Jobst Wibbelmann</p> <p>Ort / Datum</p> <p>Für Angestellte (Art. 133(3) EPÜ) mit allgemeiner Vollmacht:</p> <p>Nr.</p> <p>Name(n) des (der) Unterzeichneten bitte in Druckschrift wiederholen. Bei juristischen Personen bitte auch die Stellung des (der) Unterzeichneten innerhalb der Gesellschaft in Druckschrift angeben.</p>																																					
<p>14. Signature(s) of applicant(s) or representative</p> <p>Place / Date Munich, 7 July 2006</p> <p>For employees (Art. 133(3) EPC) having a general authorisation:</p> <p>No.</p> <p>Please print name(s) under signature(s). In the case of legal persons, the position of the signatory within the company should also be printed.</p>																																					
<p>14. Signature(s) du (des) demandeur(s) ou du mandataire</p> <p>Lieu / Date</p> <p>Pour les employés (art. 133(3) CBE) disposant d'un pouvoir général :</p> <p>N°</p> <p>Le ou les noms des signataires doivent être indiqués en caractères d'imprimerie. S'il s'agit d'une personne morale, la position occupée au sein de celle-ci par le ou les signataires doit également être indiquée en caractères d'imprimerie.</p>																																					



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Tel.: +31 (0)70 340 45 00

Date

08.06.06

Reference	Application No./Patent No. 05705385.2 - PCT/US2005000697
Applicant/Proprietor EASTMAN CHEMICAL COMPANY	

Entry into the European phase before the European Patent Office

These notes describe the procedural steps required for entry into the European phase before the European Patent Office (EPO). You are advised to read them carefully: failure to take the necessary action in time can lead to your application being deemed withdrawn.

1. The above-mentioned international patent application has been given European application No. 05705385.2.
2. Applicants without a residence or their principal place of business in an EPC contracting state may themselves initiate European processing of their international applications, provided they do so before expiry of the 31st month from the priority date (see also point 6 below).

During the European phase before the EPO as designated or elected Office, however, such applicants must be represented by a professional representative (Arts. 133(2) and 134(1), (7) EPC).

Procedural acts performed after expiry of the 31st month by a professional representative who acted during the international phase but is not authorised to act before the EPO have no legal effect and therefore lead to loss of rights.

Please note that a professional representative authorised to act before the EPO and who acted for the applicant during the international phase does not automatically become the representative for the European phase. Applicants are therefore strongly advised to appoint in good time any representative they wish to initiate the European phase for them; otherwise, the EPO has to send all communications direct to the applicant.

3. Applicants with a residence or their principal place of business in an EPC contracting state are not obliged to appoint, for the European phase before the EPO as designated or elected Office, a professional representative authorised to act before the EPO.
However, in view of the complexity of the procedure it is recommended that they do so.
4. Applicants and professional representatives are also strongly advised to initiate the European phase using EPO Form 1200 (available free of charge from the EPO). This however is not compulsory.



5. To enter the European phase before the EPO, the following acts must be performed.
(N.B.: Failure validly to do so will entail loss of rights or other adverse legal consequences.)

5.1 If the EPO is acting as **designated** or **elected** Office (Arts. 22(1)(3) and 39(1) PCT respectively), applicants must, within 31 months from the date of filing or (where applicable) the earliest priority date:

- a) Supply a translation of the international application into an EPO official language, if the International Bureau did not publish the application in such a language (Art. 22(1) PCT and R. 107(1)(a) EPC).
If the translation is not filed in time, the international application is deemed withdrawn before the EPO (R. 108(1) EPC).
This loss of rights is deemed not to have occurred if the translation is then filed within a two-month grace period as from notification of an EPO communication, provided a surcharge is paid at the same time (R. 108(3) EPC).
- b) Pay the national basic fee (EUR 170,00) and, where a supplementary European search report has to be drawn up, the search fee (EUR 720,00 ; R. 107(1)(c) and (e) EPC).
- c) If the time limit under Article 79(2) EPC expires before the 31-month time limit, pay the designation fee (EUR 80,00) for each contracting state designated (R. 107(1)(d) EPC).
- d) If the time limit under Article 94(2) EPC expires before the 31-month time limit, file the written request for examination and pay the examination fee (EUR 1490,00 ; R. 107(1)(f) EPC).
- e) Pay the third-year renewal fee (EUR 400,00) if it falls due before expiry of the 31-month time limit (R. 107(1)(g) EPC).

If the fees under (b) to (d) above are not paid in time, or the written request for examination is not filed in time, the international application is deemed withdrawn before the EPO, or the contracting-state designation(s) in question is (are) deemed withdrawn (R. 108(1) and (2) EPC). However, the fees may still be validly paid within a two-month grace period as from notification of an EPO communication, provided the necessary surcharges are paid at the same time (R. 108(3) EPC). For the renewal fee under (e) above, the grace period is six months from the fee's due date (Art. 86(2) EPC).

For an overview of search and examination fees, see OJ EPO 11/2005, 577 and 03/2006.

5.2 If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee is payable within the 31-month time limit under Rule 107(1) EPC for the eleventh and each subsequent claim (R. 110(1) EPC). The fee can however still be paid within a one-month grace period as from notification of an EPO communication pointing out the failure to pay (R. 110(2) EPC).

6. If the applicant had a representative during the application's international phase, the present notes will be sent to the representative, asking him to inform the applicant accordingly.

All subsequent communications will be sent to the applicant, or - if the EPO is informed of his appointment in time - to the applicant's European representative.



7. For more details about time limits and procedural acts before the EPO as designated and elected Office, see the EPO brochure

How to get a European patent
Guide for applicants - Part 2
PCT procedure before the EPO - "Euro-PCT"

This brochure, the list of professional representatives before the EPO, Form 1200 and details of the latest fees are now all available on the Internet under

<http://www.european-patent-office.org>

Receiving section



INTERNATIONAL SEARCH REPORT

Int'l Application No
PCT/US2005/000697

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C07C51/43 C07C51/47 C07C51/487 C07C67/08 C08G63/78

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C07C C08G

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	WO 2004/081080 A (EASTMAN CHEMICAL COMPANY) 23 September 2004 (2004-09-23) the whole document	1-51
P, X	WO 2004/035515 A (EASTMAN CHEMICAL COMPANY) 29 April 2004 (2004-04-29) the whole document	1-51
Y	WO 97/17391 A (MITSUI PETROCHEMICAL INDUSTRIES, LTD; IWASAKI, HIROSHI; ISHIBASHI, MAS) 15 May 1997 (1997-05-15) abstract claims 1,4 examples 1,2	1-51

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

29 June 2005

11/07/2005

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Authorized officer

Delanghe, P

INTERNATIONAL SEARCH REPORT

Inte	onal Application No
PCT/US2005/000697	

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 3 057 909 A (SEBELIST FREDERICK J ET AL) 9 October 1962 (1962-10-09) column 1, lines 60-69 examples 1-4 claim 1 column 3, lines 14-75 -----	1-51
Y	US 4 782 181 A (JAMES ET AL) 1 November 1988 (1988-11-01) claims 1-14 -----	1-51

INTERNATIONAL SEARCH REPORT

Int. Application No
PCT/US2005/000697

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